

1 to be levied the damages, and interest mentioned above, and your fees on such
2 Writ, and that you return this Writ with your doings endorsed on it, to the undersigned
3 within sixty (60) days from this date.

4 WITNESS my hand and seal of this Court this

NOV 10 2004

5
6 /S/ Joaquin V.E. Manibusan Jr.
7 HON. JOAQUIN V.E. MANIBUSAN, JR.
8 MAGISTRATE JUDGE, DISTRICT COURT
9 OF GUAM
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FILED
DISTRICT COURT OF GUAM
DEC 29 2004

MARY L.M. MORAN
CLERK OF COURT

42

RETURNED
UNEXECUTED

Date

12/29/2004

UNEXECUTED

I HAVE SERVED THE WITHIN _____
ON 12-29-04 4:PM ^(WRIT ORDER) BY LEAVING WITH
(DATE & TIME)

UNEXECUTED

(NAME & TITLE OF INDIVIDUAL SERVED)

JOAQUIN L.G. SABAS

USM
DUSM

BY:

V. [Signature]

RECEIVED

PLAINTIFF

Kaich Suisan Co., Ltd.
DEFENDANT

DEC 29 2004

COURT CASE NUMBER

DISTRICT COURT OF GUAM
HAGATNA, GUAMCivil Case No. 02-00021
TYPE OF PROCESS

Guam YTK Corp.

Execution & Levy

SERVE

NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN

First Hawaiian Bank

ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code)
400 Route 8
Mongmong, Guam 96927

AT

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW:

Terence E. Timblin, ESQ.
 VERNIER & MAHER, LLP
 115 Hesler Place, Ground Flr.
 Gov. Joseph Flores Building
 Hagatna, Guam 96910
 Tel: 477-7059 Fax: 472-5487

Number of process to be served with this Form - 285

1

Number of parties to be served in this case

1

Check for service on U.S.A.

N/A

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available For Service).

Fold

Fold

First Hawaiian Bank

Hours of Operation:

9:00 a.m. - 3:00 p.m. (Mon.-Thurs.)
9:00 a.m. - 6:00 p.m. (Friday)
9:00 a.m. - 1:00 p.m. (Saturday)

Tel: 475-7900

Signature of Attorney or other Originator requesting service on behalf of:

 PLAINTIFF
 DEFENDANT

TELEPHONE NUMBER

DATE

477-7059

11-19-04

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY — DO NOT WRITE BELOW THIS LINEI acknowledge receipt for the total number of process indicated.
(Sign only first USM 285 if more than one USM 285 is submitted)

Total Process

District of Origin

District to Serve

Signature of Authorized USMS Deputy or Clerk

Date

1

No. 93

No. 93

11/22/04

I hereby certify and return that I have personally served, have legal evidence of service, have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., shown at the address inserted below. I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above (See remarks below)

Name and title of individual served (if not shown above)

 A person of suitable age and discretion then residing in the defendant's usual place of abode.

Address (complete only if different than shown above)

*Returned unexecuted. Attorney Timblin
Request to serve Bank of Guam & 1st Hawaiian
Bank "only".*

Date of Service

Time

am

12-29-04 4:00 pm

Signature of U.S. Marshal or Deputy

V.L.

Service Fee	Total Mileage Charges (including endeavors)	Forwarding Fee	Total Charges	Advance Deposits	Amount owed to U.S. Marshal or	Amount of Refund
				50.00		

REMARKS:

*CR #7501 due 11/10/04 - Citizens Security
\$100.00 (\$50 / \$50 w/ Bank of Guam prior to
Amended Writ.*

1 Judgment (i.e., August 24, 2004) or the sum of \$65,986.65; and post judgment
2 interest from the date of the entry of Judgment (i.e., August 24, 2004) until fully
3 satisfied.

4 WHEREAS, there remains a balance of the Judgment in the sum of Eight
5 Hundred Sixteen Thousand Seven Hundred Seventy-Five and 68/100 Dollars
6 (\$816,775.68), prejudgment interest of \$65,986.65; and statutory interest, presently
7 due and owing as the Defendant **GUAM YTK CORPORATION** has not paid any part
8 thereof.
9

10 NOW, THEREFORE, you are commanded to take with you the power of the
11 Territory, if necessary, and to seize, attach, levy and sell that of the monies,
12 accounts, goods and chattels of Defendant **GUAM YTK CORPORATION** in and to
13 the following specified banks:

14 **BANK OF GUAM**
15 **BANK OF HAWAII**
16 **BANKPACIFIC**
17 **CITIBANK, N.A.**
18 **CITIZENS SECURITY BANK**
19 **COMMUNITY FIRST GUAM FEDERAL CREDIT UNION**
20 **FIRST HAWAIIAN BANK**
21 **GOVERNMENT OF GUAM EMPLOYEES' FEDERAL CREDIT UNION**
22 **METROPOLITIAN BANK & TRUST**
23 **NAVMAR FEDERAL CREDIT UNION**
24 **NAVY FEDERAL CREDIT UNION**
25 **PENTAGON FEDERAL CREDIT UNION**
UNION BANK OF CALIFORNIA
USA FEDERAL CREDIT UNION

26 YOU ARE FURTHER COMMANDED to take with you the power of the
27 Territory, if necessary, and to seize, attach, levy and sell that of the monies,
28 accounts, goods and chattels of Defendant **GUAM YTK CORPORATION** you cause
29

1 Terence E. Timblin
2 VERNIER & MAHER, LLP
3 115 Hesler Place, Ground Floor
4 Governor Joseph Flores Building
5 Hagåtña, Guam 96910
6 Telephone: (671) 477 7059
7 Facsimile: (671) 472-5487

FILED
DISTRICT COURT OF GUAM
NOV 10 2004
MARY L. M. MORAN
CLERK OF COURT

5
6 **Attorney for Plaintiff**
7 KAIOH SUISAN CO., LTD.

10
11 **UNITED STATES DISTRICT COURT**
12 **DISTRICT OF GUAM**

13 KAIOH SUISAN CO., LTD.) CIVIL CASE NO. 02-00021
14 Plaintiff,)
15 vs.)
16 GUAM YTK CORP.,)
17 Defendant.)
)

18 **TO: THE UNITED STATES MARSHAL SERVICE, GREETINGS:**

19 Plaintiff KAIOH SUISAN CO., LTD. ("KAIOH SUISAN"), on August 24, 2004,
20 obtained Judgment, before the Honorable District Court Judge Ronald Lew, in
21 Hagåtña, Guam, against Defendant **GUAM YTK CORPORATION**, Post Office Box
22 24134, GMF Guam, 96921, that Plaintiff KAIOH SUISAN shall recover the sum of Eight
23 Hundred Sixteen Thousand Seven Hundred Seventy-Five and 68/100 Dollars
24 (\$816,775.68); prejudgment interest at the rate of two percent (2%) per annum from
25 the due date of each installment provided for in the Agreement until the date of